
OFFERYNNAU STATUDOL CYMRU

2001 Rhif 4007 (Cy.333)

TAI, CYMRU

**Rheoliadau Grantiau Adnewyddu
Tai (Diwygiad Rhif 2) (Cymru) 2001**

Wedi'u gwneud - - - *13 Rhagfyr 2001*
Yn dod i rym - - - *11 Ionawr 2002*

Mae Cynulliad Cenedlaethol Cymru drwy arfer y pwerau a roddwyd iddo gan adran 30 a 146(1) a (2) o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996(1) yn gwneud y Rheoliadau canlynol:

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Grantiau Adnewyddu Tai (Diwygiad Rhif 2) (Cymru) 2001 a deuant i rym ar 11 Ionawr 2002.

(2) Mae'r Rheoliadau hyn yn gymwys i Gymru yn unig ac ni fyddant yn effeithiol mewn perthynas â cheisiadau am grant sy'n cael eu gwneud cyn y dyddiad y daw'r Rheoliadau hyn i rym.

Diwygio

2. Mae Rheoliadau Grantiau Adnewyddu Tai 1996 (2) yn cael eu diwygio drwy ychwanegu'r paragraff canlynol ar ddiwedd Atodlen 4 (cyfalaf i'w ddiystyru)—

“63.—(1) Subject to sub-paragraph (2), the amount of any trust payment made to the relevant person or a member of the relevant person's family who is—

- (a) a diagnosed person;
- (b) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
- (c) a parent of a diagnosed person, a person acting in the place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or

(1) 1996 p.53; gweler erthygl 2 o Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672) ac Atodlen I iddo.

(2) O.S. 1996/2890, a ddiwygiwyd gan O.S. 1996/3119, 1997/977, 1998/808, 1999/1523, 1999/3468 (Cy.54), 2000/973 (Cy.43) a 2001/2073 (Cy.145).

(d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.

(2) Where a trust payment is made to—

(a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;

(b) a person referred to in sub-paragraph 1(c), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending two years after that date;

(c) a person referred to in sub-paragraph (1)(d), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending—

(i) two years after that date; or

(ii) on the day before the day on which that person—

(aa) ceases receiving full-time education; or

(bb) attains the age of 19, whichever is the latest.

(3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to the relevant person or a member of a relevant person's family who is—

(a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;

(b) a parent of a diagnosed person, a person acting in the place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or

(c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death,

but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.

(4) Where a payment as referred to in sub-paragraph (3) is made to—

(a) a person referred to in sub-paragraph (3)(a), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending on the date on which that person dies;

(b) a person referred to in sub-paragraph (3)(b), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending two years after that date;

(c) a person referred to in sub-paragraph (3)(c), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending—

(i) two years after that date; or

(ii) on the day before the day on which that person—

(aa) ceases receiving full-time education; or

(bb) attains the age of 19, whichever is the latest.

(5) In this paragraph, a reference to a person—

(a) being the diagnosed person's partner;

- (b) being a member of the diagnosed person's family; or
- (c) acting in the place of the diagnosed person's parents,

at the date of the diagnosed person's death shall include a person who would have been such a person or a person who would have been so acting, but for the diagnosed person being in residential accommodation, a residential care home or a nursing home on that date.

(6) In this paragraph—

“diagnosed person” means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeldt-Jakob disease;

“relevant trust” means a trust established out of funds provided by the Secretary of state in respect of persons who suffered, or who are suffering, from variant Creutzfeldt-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;

“residential accommodation”, “residential care home” and “nursing home” shall have the same meanings as for the purposes of the Income Support (General) regulations 1987;

“trust payment” means a payment under a relevant trust.”

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(3)

13 Rhagfyr 2001

D. Elis-Thomas
Llywydd y Cynulliad Cenedlaethol

Statws This is the original version (as it was originally made). Dim ond ar ei ffurf wreiddiol y mae'r eitem hon o ddeddfwriaeth ar gael ar hyn o bryd.

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Grantiau Adnewyddu Tai 1996 sy'n nodi'r prawf moddion ar gyfer penderfynu swm y grant adnewyddu a'r grant cyfleusterau i'r anabl y gall awdurdodau tai lleol ei dalu i geiswyr sy'n berchen-feddianwyr neu'n denantiaid o dan Bennod I o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996.

Mae'r diwygiadau yn dilyn newidiadau i Reoliadau Budd-dâl Tai (Cyffredinol) 1987 (O.S. 1987/1971) y seilir y prawf moddion arnynt.

Ceir ychwanegiad at y rhestr o symiau y gellir eu diystyru fel cyfalaf. Mae'n ymwneud â thaliadau arbennig i ddioddefwyr amrywiolyn clefyd Creutzfeldt-Jakob a'u teuluoedd agos.